

REMARKSIntroduction

In the Advisory Action, the Examiner criticized the previously submitted Declarations as not being commensurate in scope with the claims because it did not use oxetane compounds as recited in Claims 12 and 13; and because it did not vary the amount of oxetane. In order to address this criticism, additional tests have been run and are presented herein by way of a Declaration of Mr. Sasa. A more detailed discussion of the Declaration follows.

Claims Status

Claims 1-15 are presented herein for examination. Claims 1-14 were previously presented and considered. Claim 15 is a new Claim which combines the limitations of Claim 1, Claim 4, and Claim 11.

Declaration Data

In response to the Examiner's comment that only one oxetane compound was employed in the previous test data, ink numbers 23(1) through 23(5) employ different oxetane compounds. These different oxetane compounds fall within the scope of Claims 12

and 13. The specific chemical composition of the oxetane compound is identified in Table A attached to the Declaration. Table B of the Declaration demonstrates that each one of these inks, numbers 23(1) through 23(5) function and provide results which are within the scope of the present Invention.

In order to address the Examiner's criticism that only one amount of oxetane had been shown to function in accordance with the present Invention, Ink Numbers 23(6) through 23(9) were run with different amounts of oxetane. The specific amounts that were employed are shown in Table A attached to the Declaration. Table B of the Declaration demonstrates that these various amounts function and provide results which fall within the present Invention.

Respectfully, the data presented in Tables A and B, as attached to the Declaration, are commensurate in scope with the claims and demonstrate that the unique aspects of the present Invention function for both different oxetane compounds and for different amounts of oxetane compounds.

Additionally, the Examiner's attention is directed to ink number 25 in Table A of the attached Declaration. Ink number 25 employs an ink composition in accordance with Example 1 of Roth, namely, an ink having a vinyl ether monomer, epoxy monomer, photo initiator and a dye. However, an oxetane compound was added to this ink. Ink number 25 can be compared to ink number 2 of Mr. Sasa's Declaration of November 2005, because ink number 2 of the November 2005 Declaration was an ink formulated in accordance with Example 1 of Roth with no oxetane compound.

Comparing the results for ink number 25 as shown in Table B of the attached Declaration to the results of ink number 2 in Table B of the November 2005 Declaration, it can be seen that the results are identical. Namely, both had a viscosity of 35, both had an ink storage rating of C and both had a safety rating of C. Thus, the addition of the oxetane compound to the chemical composition of Roth as taught in Example 1 of Roth doesn't result in any improvement to the chemical composition of Roth. Applicant respectfully submits that such data teaches away from the combination of an oxetane compound with any chemical composition taught in Roth because the addition of oxetane to a composition of Roth results in no improvement.

The Examiner will recall that a 103 Rejection had been put forward based on a combination of Roth and Watanabe. Watanabe had been cited to teach that it would be obvious for one of skill in the art to add an oxetane compound to Roth. The data in the attached Declaration demonstrate that such an addition is far inferior to the present Invention. Furthermore, it is submitted that ink number 25 evidences the fact that one of skill in the art would not add an oxetane compound with any composition taught in Roth because there is no improvement to the composition of Roth.

Directing the Examiner's attention to ink number 24, it is submitted that ink number 24 should also be compared with ink number 2. Ink number 2 and ink number 24 are identical chemical compositions except for the fact that the epoxy monomer of ink 2 is replaced with an equal amount of an oxetane compound. The results of such a replacement, as shown in Table B attached to the current Declaration of Mr. Sasa, can be seen that the viscosity is lower, goes from 35 to 19, however, the ink storage stability is no better, both are rated as a C and the safety is about the same. Respectfully, it is submitted that ink number 24 also teaches away from a combination of an oxetane compound

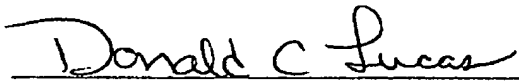
with an ink of Roth because the results of such an ink is no better than Roth.

In view of the foregoing, it is respectfully submitted that Applicant has clearly demonstrated the superiority of the present Invention and unobviousness of the present Invention in light of the teachings of Roth and Watanabe. In view of the foregoing and the enclosed, it is submitted that the Application is in condition for allowance and such action is respectfully requested.

Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By: 
Donald C. Lucas, 31,275
Attorney for Applicant(s)
475 Park Avenue South, 15th Floor
New York, NY 10016
Tel. # 212-661-8000

DCL/mr

Encl: Executed Declaration of Mr. Sasa